

Senate Study Bill 3017

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CO=CHAIRPERSONS FRAISE
and JOHNSON)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to confinement feeding operations by providing
2 for manure management plans.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5812SC 81
5 da/gg/14

PAG LIN

1 1 Section 1. Section 459.312, subsection 10, paragraph d,
1 2 Code 2005, is amended to read as follows:
1 3 d. If the location of the application is on land other
1 4 than land owned by the person applying for the construction
1 5 permit, the plan shall include a copy of each written
1 6 agreement executed between the person and the landowner or the
1 7 person renting the land for crop production where the manure
1 8 will be applied.

EXPLANATION

1 9
1 10 This bill amends Code chapter 459, referred to as the
1 11 "Animal Agriculture Compliance Act" (see Code section
1 12 459.101). The Code chapter in part regulates confinement
1 13 feeding operations in which animals are housed in buildings
1 14 and fed and maintained for 45 days or more in any 12-month
1 15 period. A confinement feeding operation structure includes
1 16 the building and associated structures used for the storage of
1 17 manure (see Code section 459.102). A number of provisions
1 18 regulate the location of confinement feeding operation
1 19 structures which are usually associated with the approval of
1 20 construction permits by the department of natural resources
1 21 (see Code section 459.303).

1 22 Certain persons are required to file a manure management
1 23 plan, including an owner of a confinement feeding operation or
1 24 a person who applies manure from a confinement feeding
1 25 operation, which is located in another state, if the manure is
1 26 applied on land located in this state. The manure management
1 27 plan must be annually updated. Generally, the manure
1 28 management plan must include information regarding how much
1 29 and where manure kept in a manure storage structure is to be
1 30 applied (see Code section 459.312). If the location of the
1 31 application is on land other than land owned by the person
1 32 applying for a construction permit, the plan must include a
1 33 copy of each written agreement executed between the person and
1 34 the landowner where the manure will be applied. The bill
1 35 allows the person to submit a copy of a written agreement
2 1 executed between the person and a person renting the land for
2 2 crop production where the manure will be applied in lieu of a
2 3 written agreement executed between the person and the
2 4 landowner where the manure will be applied.

2 5 Note, the provision as amended by this bill would mirror a
2 6 provision in Code chapter 459A, the "Animal Agriculture
2 7 Compliance Act for Open Feedlot Operations" (see Code section
2 8 459A.101), which was enacted as part of HF 805 (2005 Iowa
2 9 Acts, chapter 136). A provision in Code chapter 459A requires
2 10 the filing of a nutrient management plan which must include a
2 11 copy of a written agreement executed by the owner of the open
2 12 feedlot operation and the landowner where open feedlot
2 13 effluent may be applied. In that case, the person may
2 14 substitute a written agreement executed by the owner and the
2 15 person renting the land for crop production.

2 16 LSB 5812SC 81
2 17 da:nh/gg/14